

## REMARKS

Claims 1-5 are pending in this application. All pending claims were rejected based on Karaoguz. Claims 1, 2 and 5 are currently amended. Reconsideration is requested.

The Office suggests that Karaoguz teaches distance-based selection of a bid at paragraph 0029. While Karaoguz teaches calculation of distance, the limitation recited in claims 1 and 5 is “logic for selecting only a subset of the bid messages based at least in-part on the parameter related to distance.” Nothing in Karaoguz suggests that distance between the access point and station is **used by the access point to select a bid from a collection of bids submitted by stations.**

Rather than using distance in bid selection, what Karaoguz teaches is that distance is used to determine geographic position information,<sup>1</sup> which is provided to a central server,<sup>2</sup> and then used by the central server to perform “network optimization.”<sup>3</sup> In particular, the “network optimization” is that the central server determines that some access points can be removed from the network and instructs those access points to power-off.<sup>4</sup> The claimed invention has nothing to do with causing access points to power-off. Rather, the claimed invention controls associations between stations and access points by basing bid selection on a parameter related to distance. Further, the claimed invention dampens excessive migration of stations between access points by selecting only a subset of bid messages in a given cycle. Still further, unlike the Karaoguz teaching, in which a central server controls the network, the presently claimed steps are executed by an access point. Because the claimed method is distributed to access points, it does

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<sup>1</sup> paragraph 0042

<sup>2</sup> paragraph 0044

<sup>3</sup> paragraph 0052

<sup>4</sup> Id.

not suffer from the scaling and single point of failure problems that plague the Karaoguz central server model. Since both the steps themselves and the result of the claimed invention differ from Karaoguz, claims 1 and 5 distinguish the cited combination. Withdrawal of the rejections of independent claims 1 and 5, and dependent claims 2-4 is therefore requested.

Claim 2 has been amended to correct the informality identified by the Office. A terminal disclaimer is submitted with this response to overcome the double-patenting rejection.

For the reasons discussed above, and in view of the claim amendments, this application is now considered to be in condition for allowance and such action is earnestly solicited. The Examiner is encouraged to contact Applicants' Attorney at the number listed below to discuss any matters which might expedite prosecution of this application.

Respectfully Submitted,

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Date

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